501.01 R Under K.S.A. 39-1431, a law enforcement officer [among other professionals] who has reasonable cause to believe that an adult who is unable to protect his/her own interest; is being or has been abused, neglected, or exploited; or is in need of protective services, is required to make a report, to the Kansas Department for Children and Families [DCF]. This report should be in the form of a WPD Incident Report, with copies routed to DCF.

501.02 R The following information is required to be contained in a law enforcement Incident Report to DCF in regards to abuse of an adult [per K.S.A. 39-1431]:

A. The officer's name and business address;

B. The name and address of the adult involved;

C. The name of the adult's caretaker;

D. The name of the adult's next-of-kin, if known;

E. Information regarding the nature and extent of the abuse/neglect/exploitation of the adult involved; and

F. Any other information which is helpful to the investigation of the case or protection of the adult involved.

501.03 R Mistreatment of a dependent adult is knowingly and intentionally committing one (1) or more of the following acts [per K.S.A. 21-5417]:

A. Infliction of physical injury, unreasonable confinement, or unreasonable punishment upon a dependent adult. [Severity level 5 person felony]

B. Taking unfair advantage of a dependent adult's physical or financial resources for another individual's personal or financial advantage by the use of undue influence, coercion, harassment, duress, deception, false representation or false pretense by a caretaker or another person. [Class A misdemeanor to a level 2 person felony depending on the aggregate amount of the value of the resources]

C. Omitting or depriving treatment, goods, or services by a caretaker or another person which are necessary to maintain physical or mental health of a dependent adult. [Severity level 8 person felony]

501.04 No dependent adult shall be considered to be mistreated for the sole reason that such person relies upon, or is being furnished treatment by spiritual means through prayer in lieu of medical treatment in accordance with the tenets and practices of a recognized church or religious denomination of which such person is a member or adherent.

501.05 R A "dependent adult" is defined as an individual eighteen (18) years of age or older, who is unable to protect his/her own interest. A "dependent adult" can include:

A. Any resident cared for in a private residence; or

B. Any resident of an adult care home; or

C. Any individual kept, cared for, treated, boarded, or otherwise accommodated in a medical care facility; or

D. Any individual with mental retardation or a developmental disability receiving services through a community mental retardation facility or residential facility licensed under K.S.A. 75-3307(b); or

E. Any individual kept, cared for, treated, boarded, or otherwise accommodated in a state psychiatric hospital or state institution for the mentally retarded; or

F. Any individual with a developmental disability receiving services provided by a community service provider as provided in the developmental disability reform act.

501.06 If an officer encounters a situation in the field in which he/she has the least doubt about the proper course of action to be followed, he/she shall contact a field supervisor immediately for clarification and decision.